

CERTIFICATE OF SERVICE

I, SUSAN K. CRANSTON, affirm pursuant to 28 USC § 1746, that on January 30, 2006, I served the annexed **NOTICE OF MOTION, AFFIRMATION and MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS** upon the following individual(s), by depositing a true copy thereof, properly enclosed in a sealed, postpaid wrapper, in a post office box in the City of Syracuse, a depository under the exclusive care and custody of the United States Post Office Department, directed to the individual(s) at the address(es), designated for that purpose, as follows:

Kevin Gamble, #00-A-6625
Plaintiff *pro se*
Southport Correctional Facility
PO Box 2000
Pine City, NY 14871

s/Susan K. Cranston
SUSAN K. CRANSTON

Sworn to before me this
January 30, 2006.

s/Maria Moran
Assistant Attorney General of the
State of New York with the general
powers of a Notary Public, pursuant
to Section 73 of the Executive Law
of the State of New York.